

AMENDED IN ASSEMBLY JUNE 19, 2014

AMENDED IN ASSEMBLY MAY 15, 2014

AMENDED IN SENATE APRIL 16, 2013

AMENDED IN SENATE APRIL 4, 2013

SENATE BILL

No. 564

Introduced by Senator Monning

February 22, 2013

An act to add Article 3 (commencing with Section 115815) to Chapter 4 of Part 10 of Division 104 of the Health and Safety Code, relating to recreational activities.

LEGISLATIVE COUNSEL'S DIGEST

SB 564, as amended, Monning. Ski resorts: accident reports.

Existing law regulates certain behavior related to recreational activities and public safety, including, among other things, playgrounds and wooden playground equipment.

This bill would, among other things, require a ski resort, as defined, to submit a monthly summary accident report, as defined, to the State Department of Public Health, as provided. The bill would ~~authorize the department to request additional safety-related information, as provided, and would~~ require the department to post the reports and other information onto its publicly accessible Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Residents and visitors annually make five to six million daily
4 visits to California’s mountain ski ~~resorts~~, *resorts* and analysis of
5 hospital discharge and emergency room visit data reveals over
6 11,500 ski and snowboard injuries are treated at California hospitals
7 each year.

8 (b) Ski resorts are not uniformly subject to any federal or state
9 safety statutes, regulations, or reporting requirements and do not
10 provide or make accessible accident, death, and injury statistics
11 or other safety-related information to government or the public.

12 (c) Resort patrons are required to agree to negligence waivers
13 with the purchase of a resort lift ticket or season pass.

14 (d) The State Department of Public Health has established
15 branches and units to provide statewide surveillance and control
16 of accidents and injuries.

17 SEC. 2. Article 3 (commencing with Section 115815) is added
18 to Chapter 4 of Part 10 of Division 104 of the Health and Safety
19 Code, to read:

20
21 Article 3. Ski Resorts

22
23 115815. For ~~the~~ purposes of this article, the following
24 definitions shall apply:

25 (a) “Accidents” means any occurrence resulting in a death or
26 an injury or injuries other than those requiring only minimal first
27 aid, such as minor abrasions and bruises.

28 (b) “Department” means the State Department of Public Health.

29 (c) “Ski resort” or “resort” means the operator of a snow sport
30 facility.

31 (d) “Skier day” means use of a snow sport facility by a patron
32 who skis, snowboards, or engages in any other snow sport during
33 a single calendar day of facility operations. The number of skier
34 days are used to track use as well as to normalize other patron
35 volume-related statistics over a defined period of facility
36 operations.

37 (e) “Snow sport facility” means a facility located in California,
38 including any facility that operates on federal land in California,

1 that is used by skiers, snowboarders, and persons engaged in other
2 forms of gravity propelled, nonmotorized, and upright downhill
3 sliding snow sports.

4 (f) “Summary accident report” or “report” means a report that
5 contains all of the following with respect to a snow sport facility:

6 (1) The number of accidents reported to a resort during the
7 reporting period that occurred on its lifts, slopes, or trails or after
8 an intended or unintended egress from the slope and trail
9 boundaries to adjacent terrain.

10 (2) The number of accidents reported to a resort during the
11 reporting period that resulted in a death, either at the site of the
12 accident, during the subsequent emergency transport, or at a
13 medical care facility.

14 (3) The number of accidents reported to a resort during the
15 reporting period that resulted in nonfatal injuries requiring
16 transportation by air or ground ambulance to a medical care facility.

17 (4) The number of skier days and the number of days of full or
18 partial operation during the reporting period.

19 (5) *A description of each accident that provides sufficient*
20 *information to explain the severity of the accident.*

21 115816. (a) By the 15th calendar day after the end of each full
22 or partial calendar month that a facility is used as a snow sport
23 facility, a resort shall submit to the Injury Surveillance and
24 Epidemiology Unit of the Safe and Active Communities Branch
25 within the department, or other division, branch, or unit, as
26 specified by the department, an electronic summary accident report
27 in a format acceptable to the department.

28 ~~(b) As part of or in addition to the summary accident report, the~~
29 ~~department may request additional safety-related information as~~
30 ~~it deems necessary or desirable and is available to the resort. The~~
31 ~~resort shall respond to all such requests on a timely basis.~~

32 (e)

33 (b) Any information relating to a victim’s identity shall be
34 redacted by the resort ~~prior to~~ *before* submitting the report or other
35 requested information to the department.

36 ~~(d)~~

- 1 (c) The department shall post all reports and information
- 2 received pursuant to this section onto its publicly accessible
- 3 Internet Web site.

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